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November 28, 2007

David Saliwanchik

David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC § 121
Examining Group 1643
Patent Application
Docket No. BB-170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Alana M. Harris
Art Unit : 1643
Applicants : Veit Krenn *et al.*
Serial No. : 10/582,697
Filed : June 13, 2006
Conf. No. : 6576
For : Use of Ligands of Specific Antigens for the Diagnosis and Treatment of Solid Tumors and Bone-Related Cancerous Diseases

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated November 2, 2007, the Applicants hereby elect to prosecute the Group I claims, *i.e.* claims 1-9 and 15, drawn to the treatment of solid tumors (claims 1-9) as well as a method for producing a pharmaceutical formulation (claim 15). The Applicants further elect the species a) CDw52.

The applicants appreciate that this election of species has been required for the purposes of facilitating the search and expediting prosecution. Accordingly, the applicants respectfully submit that, upon an indication of allowable subject matter, the scope of the claims should not be limited to the elected species.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



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